

CUSTOMER NO.: 24498
Serial No. 09/269,684
Office Action dated 06/14/11
Response dated: 10/13/11

PATENT
RCA88423

REMARKS/ARGUMENTS

In the Office Action, the Examiner noted that claims 9, 10 and 15-19 are pending in the application, that claims 9, 10 and 19 stand rejected and that claims 15-18 are allowed. By this response, claims 9 and 10 have been amended to more clearly define the invention of the Applicants.

In view of the amendments presented above and the following discussion, the Applicants respectfully submit that none of these claims now pending in the application are anticipated under the provisions of 35 U.S.C. § 102. Thus, the Applicants respectfully submit that all of these claims are now in allowable form.

Rejections

A. 35 U.S.C. § 102

The Examiner rejected the Applicants' claims 9, 10 and 19 under 35 U.S.C. § 102(e) as being anticipated by Lane et al. (US Patent No. 5,377,051, hereinafter "Lane").

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)). (emphasis added). The Applicants respectfully submit that Lane fails to teach each and every element of at least the Applicants' amended claim 9, which specifically recites:

"A recording and replay apparatus comprising:

'a source of an MPEG bit stream signal coupled to said apparatus for recording;

'means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal;

'a pair of record transducers each aligned for recording said record signal and having complementary azimuth angles; and,

'a control means coupled to receive a signal identifying an intra coded frame occurrence in said MPEG bit stream signal and controllably coupled to said generating means, wherein responsive to said identifying signal said control means initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream by a predetermined one of said transducer pair having a specific azimuth angle, **wherein said record signal representative of an intra coded frame part of said MPEG bit stream is modulated during recording.**" (emphasis added)

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In support of at least independent, amended claim 9, the Applicant in the Specification specifically recites:

"The advantageous use of control track pulse modulation enables recorded tracks to be identified during reproduction at play speed and speeds other than play speed. Thus specific tracks, for example, intra coded data or intra coded and forward predicted data, may be identified and reproduced." (See Applicants' Specification, page 11, lines 26-30).

As should be clear from at least the portion of the Applicants' Specification presented above, in the invention of the Applicants, control tracks are modulated for recording to enable easy identification of recorded tracks.

In contrast to the invention of the Applicants, there is absolutely no teaching or suggestion in Lane for a "signal representative of an intra coded frame part of said MPEG bit stream is modulated during recording", as taught and claimed by the Applicants. In fact, the Examiner indicates that Lane teaches "the capability of initiating the recording of trick play data when intra frame coded data are detected based identification provided thereof" in column 31, lines 53-64 and column 50, lines 49-56. Specifically, in such sections, Lane recites:

"In addition to trick play motion vectors or instead of generating trick play motion vectors, the encoder 102 may generate an intra-coded image for every N frames of normal play inter-coded images. Such trick play intra-coded images, which are particularly useful for generating images during Nx trick playback operation, may be represented by data comprising the low resolution coefficients for every N.sup.th video image in the series of normal play images. The trick play motion vectors and trick play intra-coded images generated by the encoder 102 are output by the encoder 102, packetized, and identified with headers along with the rest of the video data transmitted by the transmitter 100." (See Lane, col. 31, lines 53-64).

"In the above manner, the data filter 308 selects particular data packets from the video/audio data packet stream for recording in fast scan track segments. The data filter 308 has a trick play data packet output which is coupled to a corresponding input of the VTR framing and ECC circuit 310. The VTR framing and ECC circuit 310 also has an error detected input coupled to the error detected output of the tuner module 304." (See Lane, col. 50, lines 49-56).

As should be clear from at least the portions of the teachings of Lane presented above, in Lane an encoder may generate an intra-coded image for every N frames of normal play inter-coded images. Such trick play intra-coded images may be represented by data comprising the low resolution coefficients for every N.sup.th video image in the series of

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normal play images. The trick play motion vectors and trick play intra-coded images generated by the encoder are output by the encoder, packetized, and identified with headers along with the rest of the video data transmitted by the transmitter. As such, in Lane a data filter selects particular data packets from the video/audio data packet stream for recording in fast scan track segments.

The Applicants submit, however, that there is absolutely no teaching or suggestion in Lane for, "signal representative of an intra coded frame part of said MPEG bit stream is modulated during recording", as taught and claimed by the Applicants.

Therefore, the Applicants submit that for at least the reasons recited above, independent claims 9 and 10 are not anticipated by the teachings of Lane and, as such, fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

Furthermore, dependent claim 19 depends directly from the Applicants' independent claim 10 and recites additional features therefor. As such and for at least the reasons recited above, the Applicants submit that dependent claim 19 is also not anticipated by the teachings of Lane. Therefore the Applicants submit that dependent claim 19 also fully satisfies the requirements of 35 U.S.C. § 102 and is patentable thereunder.

The Applicants reserve the right to establish the patentability of each of the claims individually in subsequent prosecution.

Conclusion

The Applicants would like to sincerely thank the Examiner for the indication of allowable subject matter.

Having made the amendments presented herein, the Applicants submit that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

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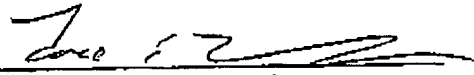
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Please charge the \$150 fee for the One-Month Extension, and any other costs that may be due, to Deposit Account No. 07-0832.

Respectfully submitted,

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